

**Adopt Env-A 4300 to read as follows:**

**CHAPTER Env-A 4300 OTHER SOLID WASTE INCINERATION**

*Statutory authority: RSA 125-C:4, I*

**PART Env-A 4301 PURPOSE AND APPLICABILITY**

*Env-A 4301.01 Purpose. The purpose of this chapter is to establish operating and performance standards for existing solid waste incineration units with the capacity to combust less than 35 tons per day of solid waste. These units are referred to by the U.S. Environmental Protection Agency (US EPA) as Other Solid Waste Incineration (OSWI) units. This rule is required of the department in order to comply with 40 C.F.R. 60 subpart FFFF*

*Env-A 4301.02 Applicability. This chapter shall apply to all existing OSWI units, as defined in Env-A 4302.02, and their owners or operators.*

**PART Env-A 4302 REFERENCES AND DEFINITIONS**

*Env-A 4302.01 References. For the purpose of this chapter, unless otherwise specified, all references to 40 CFR 60 shall be to 40 CFR 60 subpart FFFF published December 16, 2005.*

*Env-A 4302.02 Definitions. For the purposes of this chapter:*

*(a) The definitions in 40 CFR §60.2991 through §60.2994 shall apply to all existing OSWI units;*

*(b) “Existing other solid waste incinerator (OSWI) unit” means a waste incinerator with a combustion capacity less than 35 tons per day of solid waste for which construction was commenced on or before December 9, 2004;*

*(c) “Institutional waste incinerator (IWI)” means an incineration unit located at an institutional facility burning institutional waste as defined in 40 CFR §60.3078;*

*(d) “Very small municipal waste incinerator (VSMWI)” means an incineration unit with a combustion capacity less than 35 tons per day burning municipal solid waste (MSW) as defined in 40 CFR §60.3078; and*

*(e) “Waste management plan” means a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.*

**PART Env-A 4303 EMISSION LIMITS**

*Env-A 4303.01 Emission Limits For Existing OSWI Units.*

*(a) Subject to (b), below, the emission limits for existing OSWI units shall be as specified in table 4303-1, below, for the listed air pollutants or parameters and all OSWI technologies:*

***Table 4303-1 Emission Limits for All Existing OSWI Units***

<b><i>Pollutant/Parameter</i></b>	<b><i>Emission Limits <sup>a</sup></i></b>	<b><i>Compliance Determination <sup>b, c</sup></i></b>
<b><i>Cadmium (Cd)</i></b>	<b><i>18 micrograms per dry standard cubic meter (ug/dscm)</i></b>	<b><i>EPA Method 29</i></b>
<b><i>Carbon Monoxide (CO)</i></b>	<b><i>40 parts per million dry volume (ppmdv)</i></b>	<b><i>EPA Methods 10, 10A or 10B</i></b>
<b><i>Dioxins/Furans, total mass basis</i></b>	<b><i>33 nanograms per dry standard cubic meter (ng/dscm)</i></b>	<b><i>EPA Method 23</i></b>
<b><i>Hydrogen Chloride (HCl)</i></b>	<b><i>15 ppmdv</i></b>	<b><i>EPA Method 26A</i></b>
<b><i>Lead (Pb)</i></b>	<b><i>226 ug/dscm</i></b>	<b><i>EPA Method 29</i></b>
<b><i>Mercury (Hg)</i></b>	<b><i>74 ug/dscm</i></b>	<b><i>EPA Method 29</i></b>
<b><i>Opacity</i></b>	<b><i>10 percent</i></b>	<b><i>EPA Method 9</i></b>
<b><i>Oxides of Nitrogen (NOx)</i></b>	<b><i>103 ppmdv</i></b>	<b><i>EPA Methods 7, 7A, 7C, 7D or 7E <sup>d</sup></i></b>
<b><i>Particulate Matter (PM)</i></b>	<b><i>0.013 grains per dry standard cubic foot (gr/dscf)</i></b>	<b><i>EPA Methods 5 or 29</i></b>
<b><i>Sulfur Dioxide (SO2)</i></b>	<b><i>3.1 ppmdv</i></b>	<b><i>EPA Method 6 or 6C <sup>e</sup></i></b>

(b) ***The following notes shall apply to table 4303-1:***

- (1) ***The letter “a” shall indicate that all emission limits except opacity are measured at 7 percent oxygen, dry basis at standard conditions;***
- (2) ***The letter “b” shall indicate that these methods are found in 40 CFR part 60, appendix A;***
- (3) ***The letter “c” shall indicate that compliance with the CO emission limit is determined on a 12-hour rolling average basis using continuous emission monitoring system data;***
- (4) ***The letter “d” shall indicate that ASME PTC 19-10-1981-Part 10 is an acceptable alternative to Methods 7 and 7C only; and***
- (5) ***The letter “e” shall indicate that ASME PTC-19-10-1981-Part 10 is an acceptable alternative to Method 6 only.***

***Env-A 4303.02 Startup, Shutdown, or Malfunction.*** ***The emission limits given in table 4303-1 shall apply to all existing OSWI units at all times except during periods of OSWI unit startup, shutdown, or malfunction, as specified in 40 CFR §60.1710.***

***PART Env-A 4304 OPERATING PRACTICES***

***Env-A 4304.01 Operating Practices for Existing OSWI Units.*** ***The operating practices applicable to each existing OSWI unit using a wet scrubber to control emissions shall be as specified in table 4304-1, below:***

***Table 4304-1 Operating Practices for Existing OSWI Units***

<b><i>Operating Parameters</i></b>	<b><i>Operating Limits</i></b>	<b><i>Continuous Monitoring Recording Times</i></b>
<b><i>Charge rate</i></b>	<b><i>Maximum charge rate</i></b>	<b><i>Every hour</i></b>

<b><i>Pressure drop across the wet scrubber, or amperage to the wet scrubber</i></b>	<b><i>Minimum pressure drop or amperage</i></b>	<b><i>Every 15 minutes</i></b>
<b><i>Scrubber liquor flow rate</i></b>	<b><i>Minimum flow rate</i></b>	<b><i>Every 15 minutes</i></b>
<b><i>Scrubber liquor pH</i></b>	<b><i>Minimum pH</i></b>	<b><i>Every 15 minutes</i></b>

***Env-A 4304.02 Compliance Determination for Existing OSWI Units. Compliance with the operating practices specified in table 4304-1 shall be determined on a 3-hour rolling average basis, except charge rate for batch incinerators, which shall be determined on a 24-hour basis.***

#### ***PART Env-A 4305 TRAINING***

##### ***Env-A 4305.01 General Operator Training.***

***(a) Operator training for OSWI units shall be obtained through the state program specified in Env-Sw 1600.***

***(b) At least one employee or supervisor of an OSWI unit shall complete the operator training course required pursuant to (a), above.***

***(c) An employee or supervisor specified in (b), above, shall complete the training course specified in (a), above by the date the employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.***

***(d) An employee or supervisor specified in (b), above, shall complete an annual review or refresher course as specified in Env-Sw 1600.***

#### ***PART Env-A 4306 WASTE MANAGEMENT PLAN***

##### ***Env-A 4306.01 Waste Management Plan.***

***(a) The owner or operator of an OSWI unit shall prepare a waste management plan as described in 40 CFR §§ 60.3010, 60.3011, and 60.3012.***

***(b) The owner or operator of an OSWI unit shall submit a waste management plan prepared pursuant to (a), above, to the department by the earlier of the dates specified in Env-A 4309.01.***

#### ***PART Env-A 4307 MONITORING AND TESTING***

***Env-A 4307.01 Compliance and Performance Testing for Existing OSWI Units. The compliance and performance testing requirements applicable to existing OSWI unit shall be as specified below:***

***(a) Initial and subsequent performance testing shall be conducted at all existing OSWI units to determine compliance with the emissions limits specified in table 4303-1 for the following pollutants and parameters:***

- (1) Particulate matter;***

- (2) ***Opacity;***
  - (3) ***Cadmium;***
  - (4) ***Lead;***
  - (5) ***Mercury;***
  - (6) ***Hydrogen chloride; and***
  - (7) ***Dioxins/furans;***
- (b) ***Performance testing at all existing OSWI units shall be conducted on the schedule in 40 CFR §§60.2932 through 60.2934;***
- (c) ***Performance testing at all existing OSWI units shall be conducted in accordance with the requirements in 40 CFR §§60.2922 and 60.2928;***
- (d) ***Continuous emission monitoring shall be conducted at all existing OSWI units in accordance with the requirements in 40 CFR §§60.2922 and 60.2932;***
- (e) ***Continuous emission monitoring data gathered at all existing OSWI units shall be used to determine compliance with carbon monoxide emissions limits as specified in table 4303-1; and***
- (f) ***Continuous monitoring data gathered at all existing OSWI units shall be used to determine compliance with operating parameters as specified in table 4304-1.***

#### ***PART Env-A 4308 REPORTING AND RECORDKEEPING***

***Env-A 4308.01 Reporting and Recordkeeping Requirements for Existing OSWI Units. The reporting and recordkeeping requirements applicable to each existing OSWI unit shall be the same as specified in 40 CFR §60.2949.***

#### ***PART Env-A 4309 COMPLIANCE SCHEDULES***

***Env-A 4309.01 Compliance Schedules for Existing OSWI Units. All existing OSWI units shall comply with the compliance schedule specified in 40 CFR §60.2987, which states that compliance must be achieved as expeditiously as practicable after approval of the state plan, but not later than the earlier of the following 2 dates:***

- (a) ***December 16, 2010; or***
- (b) ***Within 3 years after the effective date of state plan approval by the US EPA.***

# APPENDIX

<b>Rule Section(s)</b>	<b>State or Federal Statute or Federal Regulation Implemented</b>
Env-A 4300	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR part 60, subpart FFFF
Env-A 4301	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR §§ 60.2980 and 60.2981
Env-A 4302	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR §§ 60.2991 - 60.2994
Env-A 4303.01	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR §§ 60.3022 - 60.3024; table 2 to 40 CFR part 60, subpart FFFF
Env-A 4303.02	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR § 60.3025
Env-A 4304.01	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); table 3 to 40 CFR part 60, subpart FFFF
Env-A 4304.02	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); table 3 to 40 CFR part 60, subpart FFFF
Env-A 4305.01	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR §§ 60.3014 - 60.3018
Env-A 4306.01	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR §§ 60.3010 - 60.3012
Env-A 4307.01	RSA 125-C:6,XI.; 42 U.S.C. §7429(b); 40 CFR §§ 60.3027 - 60.3044
Env-A 4308.01	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR § 60.3019
Env-A 4309.01	RSA 125-C:4,I.(a); 42 U.S.C. §7429(b); 40 CFR § 60.3000 and 60.3001; table 1 to 40 CFR part 60, subpart FFFF